

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Seward County,) Application No. 911-023.41
Public Safety Answering Point,)
Seward, seeking funding) ORDER APPROVING FUNDING
approval for recurring and non-) REQUEST IN PART
recurring costs associated with)
Enhanced Wireless 911)
implementation.) Entered: September 16, 2008

BY THE COMMISSION:

By written request for funding dated January 14, 2008, Seward County, Public Safety Answering Point, Seward, seeks funding from the Enhanced Wireless 911 Fund for expenses for implementing and providing enhanced wireless 911 service.

In an order dated February 12, 2008, funding was approved for the portion of the funding request related to the purchase and installation of equipment. However, based upon the recommendation of the Enhanced Wireless 911 Advisory Board, action was delayed on the portions of the funding request related to maintenance pending receipt of additional information.

Additional information was provided by Seward County and the funding request was again considered by the Advisory Board at its August 18, 2008, meeting at which time the Advisory Board voted to recommend denying the request based on insufficient information with leave for the county to resubmit.

In its application, Seward County sought reimbursement of **\$15,952.96** for maintenance of its Vesta Pallas and Orion MapStar for the period of April, 2006 through January, 2007 and reimbursement of **\$13,266.00** for the period of January, 2007 through December, 2007. Additionally, Seward County seeks ongoing maintenance costs in the amount of **\$1,287.00** per month, paid to the vendor.

Insufficient information was provided to support the request related to **\$1,639.00** paid in April, 2006 for telephone installation; **\$1,301.00** and **\$4,264.00** paid in September, 2006 related to optional support. The remaining items are consistent with costs of other vendors and the responses to the Commission's RFP.

O P I N I O N A N D F I N D I N G S

This request for additional funding is being processed pursuant to Neb. Rev. Stat. §§ 86-442 to 86-470. (Cum. Supp. 2006), 291 Neb. Admin. Code, Chapter 1, Section 5, Progression Order No. 5 in Commission Docket No. 911-001, entered July 16, 2002 and the Interim Policy established in Progression Order No. 1 in Commission Docket No. 911-017/PI-116, entered February 13, 2007 (Interim Policy).

Based upon the request for funding, supporting documentation, and in consideration of the recommendation of the Advisory Board, the Commission is of the opinion and finds that costs requested for past maintenance less the **\$7,204.00** in items lacking sufficient justification and the costs for ongoing maintenance, subject to the limitations set forth below, are eligible under Neb. Rev. Stat. § 86-465 as all costs have been incurred or will be incurred for the purchase, installation, maintenance or operation of telecommunications equipment and telecommunications services required for the provision of enhanced wireless 911 service.

Therefore, the request for funding should be granted in part in the amount of **\$28,611.00** in costs for maintenance already incurred by Seward County and **\$1,287.00 per month** for ongoing software maintenance and hardware maintenance subject to the limitations set forth herein. Seward County entered into a service agreement with a sixty (60) month period commencing April 3, 2006. Therefore, recurring costs are approved up to April, 2011. Said amounts are consistent with the pricing set forth in the vendor's response to the RFP.

The Fund shall therefore pay to Seward County the amount of **\$28,611.00** consistent with the terms of this order. Additionally, the Fund shall pay **\$1,287.00 per month** for software and hardware maintenance to Seward County's vendor, subject to change based upon the availability of funding and the permanent funding mechanism.

Should Seward County wish to be heard by the Commission regarding those portions of the funding request related to the amounts in excess of the prices offered in the response to the RFP it shall notify the Commission in writing **within fifteen (15) days** of this order and the matter will be set for hearing.

The Commission reserves the right to modify any recurring costs associated with this funding request consistent with amendments to the Interim Policy or the establishment of a permanent funding mechanism.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the Enhanced Wireless 911 Fund shall pay to Seward County, the amount of **\$28,611.00** consistent with the terms of this order. Additionally, the Fund shall pay **\$1,287.00 per month** for software and hardware maintenance to Seward County's vendor consistent with Seward County's service agreement, subject to change based upon the availability of funding and the permanent funding mechanism.

IT IS FURTHER ORDERED should Seward County wish to be heard by the Commission regarding those portions of the funding request not approved, it shall notify the Commission in writing **within fifteen (15) days** of this order and the matter will be set for hearing.

MADE AND ENTERED at Lincoln, Nebraska this 16th day of September, 2008.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director